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Attorneys for Defendant

**Attorneys for Defendant**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

STEPHEN J. SCHULTZ,  
Plaintiff,  
v.  
ANDREW SAUL<sup>1</sup>,  
Commissioner of Social Security,  
Defendant.

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Case No. 2:19-cv-00096-RFB-BN  
**UNOPPOSED MOTION FOR  
EXTENSION OF TIME  
(FIRST REQUEST)**

Defendant Andrew Saul, Commissioner of Social Security (“Defendant”) respectfully requests that the Court extend the time for Defendant to file her Cross-Motion to Affirm and Response to

<sup>1</sup> Andrew Saul is now the Commissioner of Social Security and is automatically substituted as a party pursuant to Fed. R. Civ. P. 25(d). See also Section 205(g) of the Social Security Act, 42 USC 405(g) (action survives regardless of any change in the person occupying the office of Commissioner of Social Security).

1 Plaintiff's Motion for Reversal, due on **July 1, 2019**, by **30 days**, through and including **July 31, 2019**.  
2 This request is made in good faith with no intention to unduly delay the proceedings.

3 An extension of time is needed because counsel for Defendant is responsible for performing a  
4 range of tasks that preclude drafting the Commissioner's response to Plaintiff's summary judgment  
5 motion by July 1, 2019, such as: drafting answering briefs in two Social Security cases pending before  
6 the Ninth Circuit; drafting briefs in Social Security cases before the district courts within the Ninth  
7 Circuit; negotiating (or litigating) attorney fee matters pursuant to the Equal Access to Justice Act before  
8 the district courts within the Ninth Circuit; assisting with the training of a newly hired attorney in the  
9 agency's Office of the General Counsel, Region IX; and conducting substantive and logistical  
10 preparation for an arbitration involving the agency and one of the agency's collective bargaining units.

11 Counsel for Defendant conferred with Plaintiff's counsel, Cyrus Safa by email on June 27, 2019,  
12 who has no opposition to this motion.

13 Respectfully submitted this 27th day of June 2019.  
14

15 NICHOLAS A. TRUTANICH  
16 United States Attorney

17 /s/ Asim H. Modi  
18 ASIM H. MODI  
Special Assistant United States Attorney

19 OF COUNSEL:

20 DEBORAH LEE STACHEL  
21 Regional Chief Counsel, Region IX  
22

23 IT IS SO ORDERED:  
24

25   
26 UNITED STATES MAGISTRATE JUDGE  
DATED: July 1, 2019

## **CERTIFICATE OF SERVICE**

I, Asim H. Modi, certify that the following individuals were served with the foregoing  
**UNOPPOSED MOTION FOR EXTENSION (FIRST REQUEST)** on the date and via the method of service identified below:

CM/ECF:

Cyrus Safa, Esq.  
Law Offices of Lawrence D. Rohlfing  
12631 E. Imperial Highway, Suite C-115  
Santa Fe Springs, CA 90670  
[cyrus.safa@rohlfinglaw.com](mailto:cyrus.safa@rohlfinglaw.com)

Dated this 27th day of June 2019.

//s// Asim H. Modi  
ASIM H. MODI  
Special Assistant United States Attorney